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UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY TRENTON VICINAGE

Caption in Compliance with D.N.J. LBR 9004-2(c)

STERN, LAVINTHAL & FRANKENBERG, LLC

105 Eisenhower Parkway, Suite 302 Roseland, NJ 07068

Phone: (973) 797-1100 Fax: (973) 228-2679

Attorney for Secured Creditor,

Cenlar FSB as servicing agent for Police and Firemen's Retirement System Board of Trustees by its Administrative Agent New Jersey Housing and Mortgage Finance Agency

By: Jeanette F. Frankenberg, Esq.

In Re:

Jason R Mohr

Lydia Mohr

Debtor(s)

Order Filed on June 26, 2017 by Clerk **U.S. Bankruptcy Court** District of New Jersey

Case No.: 17-15155-KCF

Chapter: 13

Hearing Date: June 14, 2017

Judge: Kathryn C. Ferguson, U.S.B.J.

CONSENT ORDER RESOLVING MOTION TO VACATE STAY AND SECURED CREDITOR'S OBJECTION TO CONFIRMATION

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

DATED: June 26, 2017

Honorable Kathryn C. Ferguson United States Bankruptcy Judge

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Debtor: Jason R. Mohr & Lydia Mohr

Case No: 17-15155-KCF

Caption: Consent Order Resolving Motion to Vacate Stay & Secured Creditor's Objection to

Confirmation

Applicant:

Cenlar FSB

Applicant's Counsel:

Stern Lavinthal & Frankenberg, LLC

Debtor's Counsel:

Francis P. Cullari, Esq.

Property Involved ("Collateral"):

34 Avenue H, Monroe Twp., New Jersey

Relief sought:

✓ Motion for relief from the automatic stay

Motion to dismiss

Motion for prospective relief to prevent imposition of automatic stay

against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

- 1. Status of post-petition arrearages:
 - The Debtor is overdue for <u>3</u> months, from <u>April 1, 2017</u> to <u>June 1, 2017</u>.
 - The Debtor is overdue for $\underline{3}$ payments at \$3,122.74 per month.

Total Arrearages Due \$9,368.22

- 2. Debtor must cure all post-petition arrearages, as follows:
 - Immediate payment shall be made in the amount of \$9,368.22. Said payment shall be received on or before <u>June 30, 2017</u> payment.
 - Regular monthly mortgage payments in the amount of \$3,122.74 shall continue to be made beginning with the July 1, 2017 payment.
 - Debtor shall have until the deadline of <u>October 15, 2017</u> to attempt to sell the Property.
 - If the Debtor shall fail to sell the property or have the property under contract for sale by <u>October 15, 2017</u>, Secured Creditor shall obtain Automatic Stay Relief as to the Collateral without the need of a further Order from this Court.
- 3. This Order shall be incorporated in and become part of any Order Confirming the Chapter 13 Plan in the herein matter.

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Debtor: Jason R. Mohr & Lydia Mohr

Case No: 17-15155-KCF

Caption: Consent Order Resolving Motion to Vacate Stay & Secured Creditor's Objection to

Confirmation

4. Payments to the Secured Creditor shall be made to the following address(es):

✓ Immediate payment:

Cenlar FSB 425 Phillips Blvd. Ewing, NJ 08618

Regular monthly payment:

Cenlar FSB 425 Phillips Blvd. Ewing, NJ 08618

In the event of Default:

If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

- 5. Award of Attorneys' Fees:
- ✓ The Applicant is awarded attorney's fees of \$350.00, and costs of \$181.00. The fees and costs are payable through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order

Francis Cullari, Esq.

Attorney for the Debtor

/s/ Jeanette F. Frankenberg

Jeanette F. Frankenberg, Esq. Attorney for Secured Creditor

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In re: Jason R Mohr Lydia Mohr Debtors Case No. 17-15155-KCF

Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 1 Date Rcvd: Jun 26, 2017

Form ID: pdf903 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 28, 2017.

db/jdb +Jason R Mohr. Lvdia Mohr. 34 Avenue H, Monroe Township, NJ 08831-2222

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

TOTAL: 0 NONE.

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 28, 2017 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 26, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com Francis P. Cullari on behalf of Joint Debtor Lydia Mohr cullari@comcast.net Francis P. Cullari on behalf of Debtor Jason R Mohr cullari@comcast.net
Jeanette F. Frankenberg on behalf of Creditor Cenlar FSB as servicing agent for Police and

Firemens Retirement System Board of Trustees by its Administrative Agent New Jersey Housing and Mortgage Finance Agency cmecf@sternlav.com

USTPRegion03.NE.ECF@usdoj.gov U.S. Trustee.

TOTAL: 6